

Summary
Water Pollution Control Board
Indiana Government Center South
Conference Center Room A
Indianapolis, Indiana
Wednesday, August 8, 2007

1. CALL TO ORDER

Chairperson Gary Powdrill called the meeting to order at 1:30 p.m. A quorum was present.

Members present: Gary Powdrill (Chairperson); Dave Wagner; Lee Botts; Ted Alexander; Steve Boyce (proxy for Lt. Governor); Howard Cundiff (proxy for Dr. Judith A. Monroe, IDOH); Jim Ray (proxy for Robert E. Carter, IDNR); Brad Moore (substitute for Pam Fisher, proxy for Nathan J. Feltman, Sec. of IEDC); and Deborah Albright (board counsel).

Present for IDEM: Thomas Easterly, IDEM Commissioner; Bruno Pigott, Assistant Commissioner, Office of Water Quality (OWQ); Martha Clark Mettler, Deputy Assistant Commissioner, OWQ; and James Sullivan, Groundwater Section, Chief, Drinking Water Branch, OWQ.

2. APPROVAL OF SUMMARY

Chairperson Powdrill called for the approval of the June 13, 2007, board summary. A motion was made and seconded to approve the June 13, 2007, board summary.

3. ANNOUNCEMENTS

Chairperson Powdrill introduced Mr. Brad Moore, proxy of Indiana Economic Development Corporation (IEDC), as a substitute for Ms. Pam Fisher.

4. REPORTS

Mr. Bruno Pigott called upon Ms. Martha Clark Mettler to give updates on agency rulemakings.

1. Antidegradation - Ms. Mettler reported that IDEM had presented its rulemaking concept for re-second notice rule language to folks in northwest Indiana and now is waiting to get feedback from the presentation. She indicated that the next step would be for IDEM to send notices to the industrial partners in Indianapolis.

Ms. Lee Botts was appreciative of IDEM's effort for bringing the Antidegradation presentation to northwest Indiana.

2. Wastewater Operator Certification – Ms. Mettler mentioned that the rulemaking should be ready for second notice within the month.
3. Pretreatment Streamlining – Ms. Mettler reported that staff is working on rule language for second notice. She thought that second notice would be ready for comments next month.
4. Chloride Variance – Ms. Mettler reported that staff was working on rule language for second notice.

5. Arsenic Revisions to Groundwater Quality Standards – Ms. Mettler mentioned there would be a presentation given later in the meeting concerning changes to the Groundwater Quality Standards as it relates to the Arsenic rulemaking.
6. Sunset Readoption (2007) – Commissioner Tom Easterly discussed what rules that IDEM would be proposing for sunset readoption and what separate rules would be opened for public comments.

MaryAnn Stevens clarified to the board the rulemaking process for sunset readoption.

7. British Petroleum (BP), Inc. Permit Issue – Commissioner Easterly explained the controversies regarding the BP Permit issue. He discussed IDEM's permit process and what actions IDEM has taken to address concerns surrounding the BP Permit.
8. NPDES Permits - Thereafter, Mr. Pigott discussed the backlog of forty-four NPDES permits waiting to be renewed. He indicated that even though the backlog consisted of only twelve major permits and thirty-two minor permits, the permitting process may make it difficult to complete those permits by the end of this year.
9. Non-rule Policy Documents – Ms. Mettler reported on the progress of the CSO Policy Workgroup meetings.

5. RULE ACTION

LSA Doc. #06-573 *E.coli* Single Sample Maximum

Chairperson Powdrill opened the public hearing for preliminary adoption of *E.coli* Single Sample Maximum draft rules. Mr. Pigott spoke for the agency.

Public commenters were: Mr. Brett Barber, Indiana Water Environmental Association; Mr. Larry Kane, City of Ft. Wayne; Mr. Glenn Pratt, concerned citizen; and, Mr. Carlton Ray, Dept. Public Works Deputy Director of Engineering, Indianapolis.

Public hearing concluded. Ms. Mettler brought attention to a change in rule language to the draft rules.

Board Discussion - Mr. Dave Wagner responded to Mr. Glenn Pratt's comments about the *E.coli* rulemaking.

A motion was made and seconded to preliminarily adopt the draft rules with IDEM's change. With a voice vote, the board unanimously voted to preliminarily adopt the *E.coli* Single Sample Maximum draft rules.

6. INTRODUCTION OF BOARD MEMBERS

Chairperson Powdrill had board members to introduce themselves and their affiliations. He also welcomed back Mr. Ted Alexander, board member, who had been out recuperating from an auto accident.

Mr. Alexander thanked the water board members and all others for their thoughtfulness and well wishes for his family and himself.

7. PRESENTATIONS

Mr. Jim Sullivan gave a PowerPoint presentation about Indiana's Ground Water Quality Standards.

Mr. Bill Beranak, Indiana Environmental Institute, Inc., presented information on the Arsenic Groundwater Quality Standards topic.

Following the presentations, Chairperson Powdrill said that he would leave it to the discretion of the agency whether to bring the Arsenic rulemaking to the board next month or to keep working on its rule language before bringing it to the board.

Presentation ended.

8. OPEN FORUM

Mr. Glenn Pratt spoke about water quality issues.

Open forum ended.

9. ADJOURNMENT

Thereafter, Chairperson Powdrill adjourned the WPCB meeting at 3:45 p.m.

The next WPCB meeting is scheduled for Wednesday, Sept 12, 2007, Indiana Government Center South, Conference Room A at 1:30 p.m. E.D.T.

CHAIRPERSON

A court reporter recorded this meeting. A typewritten transcript of the entire meeting is on file in the Office of Water Quality, Indiana Department of Environmental Management.